

GLAUKO.010A



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hosheng Tu et al.
Appl. No. : 10/046,137
Filed : November 8, 2001
For : DRUG-RELEASING
TRABECULAR IMPLANT FOR
GLAUCOMA TREATMENT
Examiner : Patricia M. Bianco
Group Art Unit : 3762

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 24, 2004

(Date)

James W. Hall
James W. Hall, M.D., Reg. No. 46,396

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2004
AND
EXPRESS ABANDONMENT UNDER 37 C.F.R. § 1.138

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests that the above-captioned patent application be expressly abandoned. Specifically, Applicant requests that the above-captioned patent application be abandoned today, November 24, 2004.

Though Applicant does not acquiesce to the Examiner's claim rejections set forth in the Office Action dated August 25, 2004, the above-captioned application is being abandoned because Applicant intends to prosecute the subject matter of these claims in U.S. Patent Application Serial No. 10/706,300, filed November 12, 2003, and/or in other related applications.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 11/24/04

By: James W. Hill
James W. Hill, M.D.
Registration No. 46,396
Attorney of Record
Customer No. 20,995
(949) 760-0404

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